

Platts	Royce	Thompson (PA)
Poe (TX)	Ryunan	Thornberry
Pompeo	Ryan (WI)	Tiberi
Posey	Scalise	Tipton
Price (GA)	Schilling	Turner (NY)
Quayle	Schmidt	Turner (OH)
Reed	Schock	Upton
Rehberg	Schweikert	Visclosky
Reichert	Scott (SC)	Walberg
Renacci	Scott, Austin	Walden
Ribble	Sensenbrenner	Walsh (IL)
Rigell	Sessions	Webster
Rivera	Shinkus	West
Roby	Shuster	Westmoreland
Roe (TN)	Simpson	Whitfield
Rogers (AL)	Smith (NE)	Wilson (SC)
Rogers (KY)	Smith (NJ)	Wittman
Rogers (MI)	Smith (TX)	Wolf
Rohrabacher	Southerland	Womack
Rokita	Stearns	Woodall
Rooney	Stivers	Yoder
Ros-Lehtinen	Stutzman	Young (AK)
Roskam	Sullivan	Young (FL)
Ross (FL)	Terry	Young (IN)

NOT VOTING—12

Austria	Filner	Paul
Bachmann	Giffords	Schrader
Coble	Johnson, E. B.	Smith (WA)
Diaz-Balart	Oliver	Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1558

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 948, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

LEGISLATIVE PROGRAM

Mr. HOYER. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute for the purposes of inquiring of what the schedule will be as we go forward.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mrs. CAPITO. Mr. Speaker, reserving the right to object, I want to get a chance to react. The gentleman can proceed.

I withdraw my reservation.

The SPEAKER pro tempore. The reservation is withdrawn.

Without objection, the gentleman from Maryland is recognized for 1 minute.

There was no objection.

Mr. HOYER. I thank the gentlelady for withdrawing her objection.

I have just been handed a—it may have been sent out earlier—a Members' advisory which says:

The House will be in session as necessary to consider a conference report on H.R. 3630, the Middle Class Tax Relief and Job Creation Act of 2011.

The House's request for a conference will be transmitted to the United States Senate this afternoon where it will await the appointment of their conferees. To be clear, H.R. 3630 will physically reside in the Senate by the close of business today.

□ 1600

It goes on to say, "Members will be provided with at least 24 hours' notice prior to the House's next recorded vote."

What I wanted to ask the majority leader is, does he expect his Members to go home this afternoon?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I would respond to the gentleman. As he has just read, we have sent out a notice electronically to all Members. Our intention is for the conferees to do their work. We have requested the Senate to do the same, appoint their conferees so we can iron out the differences so we can afford yearlong tax relief for the working people of this country.

Mr. HOYER. Reclaiming my time, I understand the majority leader's position, but he didn't answer my question as to whether his Members intend to go home this afternoon.

Mr. CANTOR. Mr. Speaker, I will say to the gentleman, it is very clear—I know he is holding the same piece of paper that I am—and it reflects the electronic message that went out to all Members. Our intention is for the conferees to go to work to iron out the differences, which are narrow, to ensure what all of us wants to happen—that we afford yearlong tax relief to all working people in this country.

Mr. HOYER. Reclaiming my time, Mr. Speaker, I appreciate the majority leader's observations. I don't think I got an answer to the question. But having said that, if in fact an agreement is not reached prior to, say, the middle of next week, is the House prepared to preclude the eventuality of 160 million people losing their tax cut? Are you prepared to preclude the possibility of 48 million people losing their Medicare benefits? Are you prepared to preclude 2.3 million people losing their unemployment insurance by acting on an overwhelmingly bipartisan agreement that was reached in the United States Senate?

I yield to my friend.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, what I would say is the House has acted. We have again taken the position that all people, I think, in this building have taken, which is that it is so much better and more desirable for us to provide certainty to the working families of this country who deserve the yearlong certainty of tax relief.

No one thinks that a 60-day extension is even workable, and I think most experts would say could cause unnecessary uncertainty, could cause additional costs to be incurred by businesses, and it could hurt workers.

So I would say to the gentleman, the House has acted. It is up to the Senate to act to stave off this tax hike.

Mr. HOYER. Reclaiming my time, Mr. Speaker, while there is clearly a difference in this House on a number of things, one of the things that I don't think we differ on is a lack of confidence that the Senate will do its job.

I don't think we differ on that greatly because our experiences show us differently. So that what I'm asking the gentleman is that we do not put at risk the 160 million people who are expecting their tax cut to continue, the 48 million seniors who want access to their doctors, and the 2.3 million people who are going to go off unemployment, contingent upon whether the Senate acts as the gentleman wants it to. I will tell you my experience has not been great confidence that that will happen.

I will tell the gentleman further, we have tried to prepare for that contingency. We have introduced a bill with 170 cosponsors which adopts the compromise agreement so that we will give that certainty of which the gentleman speaks, allay the anxiety which we know exists, and give to those 160 million people the certainty that they will get the tax cut, the 48 million the certainty they will have access to their doctors, and the 2.3 million the certainty that they will not be kicked off the unemployment rolls so they won't be able to support themselves and their families.

I ask my friend if he will be prepared to bring that bill to the floor if in fact the Senate doesn't act.

Mr. CANTOR. I would say to the gentleman, if the gentleman wants to do his part in trying to make sure that the process moves forward, certainly the Democratic side of the aisle and the minority leader has the obligation to appoint conferees.

And if we are all to continue to work together—which I believe we can because I think the people of this country are tired of hearing what Washington can't do and want to see what we can do. And frankly, Mr. Speaker, the people in this country are beginning to wonder about the body on the other side of this Capitol and are wondering what the leader over there has against the middle class of this country.

So we would say, Mr. Speaker, it's time for us to come together. All of us, including the President, believe it's inexcusable to not allow for a yearlong extension of the payroll tax relief.

Mr. HOYER. Reclaiming my time, Mr. Speaker, 6 months ago the Speaker said that he thought the 1-year extension of the middle class tax cut was a short-term gimmick. He said that 6 months ago of the year extension. So we're somewhat concerned about the commitment to a 1-year extension. But that aside, let me say to my friend that one of the problems I'm worried about is, A, whether we can get this work done in the next 14 days because we know that even if we had a conference, they take a long time. There are very significant differences between us. In fact, we have compromised on something that you indicated in our colloquies about a week ago was very important, and that was the Keystone bill, which your side believes will create a significant number of jobs. That of course is in the bill that the Senate

sent us, because even though the Democratic majority was not for it, they cared enough about the middle class tax cut to compromise.

Unfortunately, I will tell my friend, too often we have seen on this floor unwillingness to compromise, even on your bills. We had a CR on the floor on March 15; unfortunately, 54 of your Members walked away from that. On April 15, we had a continuing resolution to keep the government open; 59 Republicans walked away from that. On June 23, you left the Biden talks. On July 22, Speaker BOEHNER walked away from the debt limit negotiations with he and the President. On August 1, 66 Republicans walked away on the debt limit extension, which was your bill—not ours, your bill. On November 17, some 101 Republicans walked away from passing an appropriations bill which would keep three agencies funded. On December 16, 86 Republicans walked away from the bill to fund the balance of government. So I might say to my friend, it seems to me what we're doing today is walking away today from those 160 million people, walking away from those 48 million seniors, and walking away from those 2.3 million unemployed.

I yield back the balance of my time.

SENSE OF HOUSE REGARDING ANY FINAL MEASURE TO EXTEND CERTAIN EXPIRING PROVISIONS

The SPEAKER pro tempore. Without objection, 5-minute voting will resume. There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 501) expressing the sense of the House of Representatives regarding any final measure to extend the payroll tax holiday, extend Federally funded unemployment insurance benefits, or prevent decreases in reimbursement for physicians who provide care to Medicare beneficiaries, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 185, not voting 22, as follows:

[Roll No. 949]

YEAS—226

Adams	Blackburn	Cassidy
Aderholt	Bonner	Chabot
Akin	Bono Mack	Chaffetz
Alexander	Boustany	Coffman (CO)
Amash	Brady (TX)	Cole
Amodel	Broun (GA)	Conaway
Bachus	Buchanan	Cravaack
Barletta	Bucshon	Crawford
Bartlett	Buerkle	Crenshaw
Bass (NH)	Burgess	Culbertson
Benishkek	Burton (IN)	Davis (KY)
Berg	Calvert	Denham
Biggart	Camp	Dent
Bilbray	Canseco	DesJarlais
Bilirakis	Cantor	Dold
Bishop (UT)	Capito	Dreier
Black	Carter	Duffy

Duncan (SC)	Labrador	Rigell
Duncan (TN)	Lamborn	Rivera
Ellmers	Lance	Roby
Emerson	Landry	Roe (TN)
Farenthold	Lankford	Rogers (AL)
Fincher	Latham	Rogers (KY)
Fitzpatrick	LaTourette	Rogers (MI)
Fleischmann	Latta	Rohrabacher
Fleming	Lewis (CA)	Rokita
Flores	LoBiondo	Rooney
Forbes	Long	Ros-Lehtinen
Fox	Lucas	Roskam
Franks (AZ)	Luetkemeyer	Ross (FL)
Frelinghuysen	Lummis	Royce
Gallegly	Lungren, Daniel	Runyan
Gardner	E.	Ryan (WI)
Gerlach	Mack	Scalise
Gibbs	Manzullo	Schilling
Gibson	Marchant	Schmidt
Gingrey (GA)	Marino	Schock
Gohmert	McCarthy (CA)	Schweikert
Goodlatte	McCauley	Scott (SC)
Gosar	McClintock	Scott, Austin
Govdy	McCotter	Sensenbrenner
Granger	McHenry	Sessions
Graves (GA)	McKeon	Shimkus
Graves (MO)	McMorris	Shuster
Griffin (AR)	Rodgers	Simpson
Griffith (VA)	Meehan	Smith (NE)
Grimm	Mica	Smith (NJ)
Guinta	Miller (FL)	Smith (TX)
Guthrie	Miller (MI)	Southerland
Hall	Miller, Gary	Stearns
Hanna	Mulvaney	Stivers
Harper	Murphy (PA)	Stutzman
Harris	Myrick	Sullivan
Hartzler	Neugebauer	Terry
Hastings (WA)	Noem	Thompson (PA)
Hayworth	Nugent	Thornberry
Heck	Nunes	Tiberi
Hensarling	Nunnelee	Tipton
Herger	Olson	Turner (NY)
Herrera Beutler	Palazzo	Turner (OH)
Huelskamp	Paulsen	Upton
Huizenga (MI)	Pearce	Walberg
Hultgren	Pence	Walden
Hurt	Petri	Walsh (IL)
Issa	Pitts	Webster
Jenkins	Platts	West
Johnson (OH)	Poe (TX)	Westmoreland
Johnson, Sam	Pompeo	Whitfield
Jones	Posey	Wilson (SC)
Jordan	Price (GA)	Wittman
Kelly	Quayle	Womack
King (IA)	Reed	Woodall
King (NY)	Rehberg	Yoder
Kingston	Reichert	Young (AK)
Kinzinger (IL)	Renacci	Young (FL)
Kline	Ribble	Young (IN)

NAYS—185

Ackerman	Conyers	Higgins
Altmire	Cooper	Himes
Andrews	Costa	Hinchey
Baca	Costello	Hinojosa
Baldwin	Courtney	Hirono
Barrow	Critz	Hochul
Bass (CA)	Crowley	Holden
Becerra	Cuellar	Holt
Berkley	Cummings	Honda
Berman	Davis (CA)	Hoyer
Bishop (GA)	Davis (IL)	Inslie
Bishop (NY)	DeFazio	Israel
Blumenauer	DeGette	Jackson (IL)
Boren	DeLauro	Jackson Lee
Boswell	Deutch	(TX)
Brady (PA)	Dicks	Johnson (GA)
Braley (IA)	Dingell	Johnson (IL)
Brooks	Doggett	Kaptur
Brown (FL)	Donnelly (IN)	Keating
Butterfield	Doyle	Kildee
Campbell	Edwards	Kind
Capps	Ellison	Kissell
Capuano	Engel	Kucinich
Cardoza	Fattah	Langevin
Carnahan	Flake	Larsen (WA)
Carney	Fortenberry	Larsen (CT)
Carson (IN)	Frank (MA)	Lee (CA)
Castor (FL)	Fudge	Levin
Chandler	Garamendi	Lewis (GA)
Chu	Garrett	Lipinski
Cicilline	Gonzalez	Loeback
Clarke (MI)	Green, Al	Lowey
Clarke (NY)	Green, Gene	Lujan
Clay	Grijalva	Lynch
Cleaver	Hahn	Maloney
Clyburn	Hanabusa	Markey
Cohen	Hastings (FL)	Matheson
Connolly (VA)	Heinrich	Matsui

McCarthy (NY)	Peterson	Serrano
McCollum	Pingree (ME)	Sewell
McDermott	Polis	Sherman
McGovern	Price (NC)	Shuler
McIntyre	Quigley	Sires
McKinley	Rahall	Slaughter
McNerney	Rangel	Stark
Meeks	Reyes	Sutton
Michaud	Richardson	Thompson (MS)
Miller (NC)	Richmond	Tierney
Miller, George	Ross (AR)	Tonko
Moore	Rothman (NJ)	Towns
Moran	Roybal-Allard	Tsongas
Murphy (CT)	Ruppersberger	Van Hollen
Nadler	Rush	Velázquez
Napolitano	Ryan (OH)	Visclosky
Neal	Sánchez, Linda	Walz (MN)
Owens	T.	Wasserman
Pallone	Sanchez, Loretta	Schultz
Pascarella	Sarbanes	Waters
Pastor (AZ)	Schakowsky	Watt
Payne	Schiff	Waxman
Pelosi	Schwartz	Welch
Perlmutter	Scott (VA)	Wolf
Peters	Scott, David	

NOT VOTING—22

Austria	Giffords	Smith (WA)
Bachmann	Gutierrez	Speier
Barton (TX)	Hunter	Thompson (CA)
Coble	Johnson, E. B.	Wilson (FL)
Diaz-Balart	Lofgren, Zoe	Woolsey
Eshoo	Oliver	Yarmuth
Farr	Paul	
Filner	Schrader	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1616

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 949, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for a vote in the House Chamber today. I would like the RECORD to show that, had I been present, I would have voted “nay” on rollcall vote 949.

PERSONAL EXPLANATION

Ms. WOOLSEY. Mr. Speaker, I was unavoidably detained and was unable to record my vote for rollcall Nos. 944–949. Had I been present I would have voted:

Rollcall No. 944: “no”—On Ordering the Previous Question; rollcall No. 945: “no”—On Agreeing to the Resolution; rollcall No. 946: “no”—On Agreeing to the Resolution; rollcall No. 947: “no”—Motion to Table; rollcall No. 948: “yes”—Motion to Instruct; rollcall No. 949: “no”—H. Res. 501.

APPOINTMENT OF CONFEREES ON H.R. 3630, MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011

The SPEAKER. The Clerk will read the Chair's appointment of conferees. Additional conferees may be appointed on the recommendation of the minority leader.

The Clerk read as follows:

The Chair appoints the following managers on the part of the House for consideration of H.R. 3630 and the Senate amendments, and modifications committed to conference: